

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TERRI GRIGSBY (*Administrator  
of Michael Grigsby Estate*),

Plaintiff,

Case No. 6:21-cv-00755-CL

v.

**ORDER FOR FEES  
UNDER 42 U.S.C. § 406(b)**

COMMISSIONER,  
SOCIAL SECURITY ADMINISTRATION,

Defendant.

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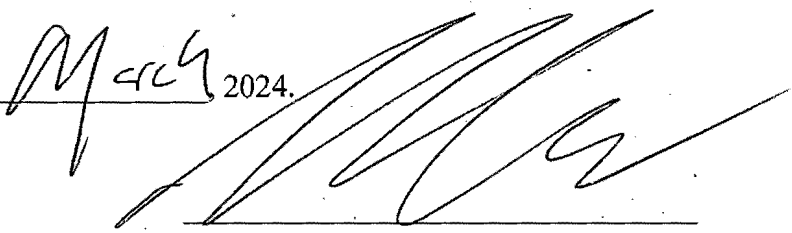
Plaintiff brought this action seeking review of the Commissioner of the Social Security Administration's final decision to deny Plaintiff's application for Disability Insurance Benefits under Title II of the Social Security Act. The Court remanded the case for further administrative proceedings. ECF Doc. No. 39. On remand, Plaintiff received a Fully Favorable decision, awarding Disability Insurance Benefits.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. The Court finds the requested fees are reasonable. Plaintiff's motion [ECF Doc No. 43] is granted, and Plaintiff's counsel is awarded \$79,523.50 in attorney fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff \$6,102.14 in fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412.

When issuing the Section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously awarded under EAJA and send Plaintiff's attorney, H. Peter Evans, the balance of \$73,421.36, less any applicable processing fee prescribed by law.

IT IS SO ORDERED.

DATED this 5 day of March 2024.

  
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MARK D. CLARKE  
U.S. Magistrate Judge